

United States District Court

For the Northern District of California

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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIALAWRENCE ROMANECK, et al.,
Plaintiffs,

No. C 05-2473 TEH (JL)

v.

ORDERDEUTSCHE ASSET MANAGEMENT, ET
AL.,
Defendants.

/

The Court received a two-page facsimile transmission from Plaintiff's counsel describing the parties' difficulties scheduling depositions. Counsel recounts conversations, telephone messages, and numerous e-mail exchanges. In the final paragraph, counsel "requests to proceed with the depositions of Winnick and Spiller as noticed for February 16 and 17, 2006 and has already agreed to produce Romanek for deposition on March 2 or 11, 2006. Romanek also offered to be available for deposition on Saturday if that worked better with Mr. Johnsruud's schedule." (February 8, 2006 letter at page 2)

All discovery in this case has been referred by the district court (Hon. Thelton E. Henderson) as provided by 28 U.S.C. §636(b) and Civil Local Rule 72. The discovery cut-off for fact discovery and the date by which all depositions should be concluded is May 29, 2006.

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1 This Court, in its Standing Order, provides guidance for parties in its methods for
2 resolving discovery disputes:

3 "In disputes which arise after the case has been referred, but before a motion
4 has been filed before the district judge, the parties shall follow the following procedure:
5 Parties shall meet and confer in person, or, if counsel are located outside the Bay Area, by
6 telephone, to attempt to resolve their dispute informally. A mere exchange of letters,
7 telephone calls, or facsimile transmissions does not satisfy the requirement to meet and
8 confer. If, after a good faith effort, the parties have not resolved their dispute, they shall
9 prepare a concise joint statement of 5 pages or less without affidavits or exhibits, stating
10 the nature and status of their dispute. If a joint statement is not possible, each side may
11 submit a brief individual statement of 2 pages or less. The Court will advise the parties
12 regarding the need, if any, for formal briefing or a hearing."

13 (Standing Order, paragraph 7)

14 All counsel in this case are located in the San Francisco Bay Area. Therefore, they
15 shall all meet and confer in person within ten days of the e-filing of this order, to arrive at
16 deposition dates for Romaneck, Winnick and Spiller. Counsel shall prepare and e-file a joint
17 report of no more than five pages to the Court within two days of the conclusion of their
18 meeting, advising of the outcome. If counsel cannot arrive at a joint report, then each party
19 may prepare a report of no more than one page.

20 IT IS SO ORDERED.

21 DATED: February 9, 2006

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JAMES LARSON
Chief Magistrate Judge